

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8385–S8478

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 1316–1326, and S. Res. 181–182. **Pages S8438–39**

Measures Reported:

S. 312, to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program. (S. Rept. No. 108–78)

Page S8438

Prescription Drug and Medicare Improvement Act: Senate continued consideration of S. 1, to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program, taking action on the following amendments proposed thereto: **Pages S8386–S8426, S8429–31**

Adopted:

Bingaman Modified Amendment No. 984, to require the Medicare Payment Advisory Commission to conduct a study regarding disproportionate share hospital payments under the Medicare program.

Page S8396

By 93 yeas to 3 nays (Vote No. 237), Dayton Amendment No. 957, to provide that prescription drug benefits for any Member of Congress who is enrolled in a health benefits plan under chapter 89 of title 5, United States Code, may not exceed the level of prescription drug benefits passed in the 1st session of the 108th Congress. **Page S8408**

Rejected:

Rockefeller Amendment No. 976, to treat costs for covered drugs as incurred costs without regard to whether the individual or another person, including a State program or other third-party coverage, has paid for such costs. (By 52 yeas to 43 nays (Vote No. 233), Senate tabled the amendment.)

Pages S8393, S8394–96

Baucus (for Dodd) Amendment No. 969, to permit continuous open enrollment and disenrollment in Medicare Prescription Drug plans and Medicare

Advantage plans until 2008. (By 55 yeas to 42 nays (Vote No. 234), Senate tabled the amendment.)

Pages S8401–03

Pryor Amendment No. 981, to provide equal access to competitive global prescription medicine prices for American purchasers. (By 66 yeas to 31 nays (Vote No. 235), Senate tabled the amendment.)

Page S8403

Boxer/Mikulski Amendment No. 1001, to eliminate the coverage gap. (By 54 yeas to 42 nays (Vote No. 236), Senate tabled the amendment.)

Pages S8386–90, S8392–93, S8403–04

Lincoln Amendment No. 1002, to allow Medicare beneficiaries who are enrolled in fallback plans to remain in such plans for two years by requiring the same contracting cycle for fallback plans as Medicare Prescription Drug plans. (By 51 yeas to 45 nays (Vote No. 238), Senate tabled the amendment.)

Pages S8390–92, S8393–94, S8408–09

By 41 yeas to 54 nays (Vote No. 239), Lautenberg Amendment No. 982, to make prescription drug coverage available beginning on July 1, 2004.

Pages S8405–10

By 41 yeas to 54 nays (Vote No. 240), Baucus (for Dodd) Amendment No. 970, to provide 50 percent cost-sharing for a beneficiary whose income is at least 160 percent but not more than 250 percent of the poverty line after the beneficiary has reached the initial coverage gap and before the beneficiary has reached the annual out-of-pocket limit.

Pages S8412–14

By 41 yeas to 55 yeas (Vote No. 241), Dodd Amendment No. 998, to modify the amount of the direct subsidy to be provided to qualified retiree prescription drug plans.

Pages S8410–12, S8414–15

Pending:

Graham (FL) Amendment No. 956, to provide that an eligible beneficiary is not responsible for paying the applicable percent of the monthly national average premium while the beneficiary is in the coverage gap and to sunset the bill. **Page S8386**

Kerry Amendment No. 958, to increase the availability of discounted prescription drugs. **Page S8386**

Lincoln Modified Amendment No. 934, to ensure coverage for syringes for the administration of insulin, and necessary medical supplies associated with the administration of insulin. **Page S8386**

Lincoln Amendment No. 935, to clarify the intent of Congress regarding an exception to the initial residency period for geriatric residency or fellowship programs. **Page S8386**

Lincoln Amendment No. 959, to establish a demonstration project for direct access to physical therapy services under the Medicare program. **Page S8386**

Baucus (for Jeffords) Amendment No. 964, to include coverage for tobacco cessation products. **Page S8386**

Baucus (for Jeffords) Amendment No. 965, to establish a Council for Technology and Innovation. **Page S8386**

Nelson (FL) Amendment No. 938, to provide for a study and report on the propagation of concierge care. **Page S8386**

Nelson (FL) Amendment No. 936, to provide for an extension of the demonstration for ESRD managed care. **Page S8386**

Baucus (for Harkin) Amendment No. 967, to provide improved payment for certain mammography services. **Page S8386**

Baucus (for Harkin) Amendment No. 968, to restore reimbursement for total body orthotic management for nonambulatory, severely disabled nursing home residents. **Page S8386**

Baucus (for Cantwell) Amendment No. 942, to prohibit an eligible entity offering a Medicare Prescription Drug plan, a MedicareAdvantage Organization offering a MedicareAdvantage plan, and other health plans from contracting with a pharmacy benefit manager (PBM) unless the PBM satisfies certain requirements. **Page S8386**

Rockefeller Amendment No. 975, to make all Medicare beneficiaries eligible for Medicare prescription drug coverage. **Page S8386**

Akaka Amendment No. 980, to expand assistance with coverage for legal immigrants under the Medicaid program and SCHIP to include citizens of the Freely Associated States. **Page S8386**

Akaka Amendment No. 979, to ensure that current prescription drug benefits to Medicare-eligible enrollees in the Federal Employees Health Benefits Program will not be diminished. **Page S8386**

Bingaman Amendment No. 972, to provide reimbursement for Federally qualified health centers participating in medicare managed care. **Page S8386**

Bingaman Amendment No. 973, to amend title XVIII of the Social Security Act to provide for the authorization of reimbursement for all Medicare part B services furnished by certain Indian hospitals and clinics. **Page S8386**

Baucus (for Edwards) Modified Amendment No. 985, to strengthen protections for consumers against misleading direct-to-consumer drug advertising. **Pages S8386, S8423–24**

Baucus (for Lautenberg) Amendment No. 986, to make prescription drug coverage available beginning on July 1, 2004. **Page S8386**

Murray Amendment No. 990, to make improvements in the MedicareAdvantage benchmark determinations. **Page S8386**

Harkin Amendment No. 991, to establish a demonstration project under the Medicaid program to encourage the provision of community-based services to individuals with disabilities. **Page S8386**

Dayton Amendment No. 960, to require a streamlining of the Medicare regulations. **Page S8386**

Dayton Amendment No. 977, to require that benefits be made available under part D on January 1, 2004. **Page S8386**

Baucus (for Stabenow) Amendment No. 992, to clarify that the Medicaid statute does not prohibit a State from entering into drug rebate agreements in order to make outpatient prescription drugs accessible and affordable for residents of the State who are not otherwise eligible for medical assistance under the Medicaid program. **Page S8386**

Baucus (for Dorgan) Amendment No. 993, to amend title XVIII of the Social Security Act to provide for coverage of cardiovascular screening tests under the Medicare program. **Page S8386**

Grassley Amendment No. 974, to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs. **Page S8386, S8430–31**

Durbin Amendment No. 994, to deliver a meaningful benefit and lower prescription drug prices. **Page S8386**

Smith/Bingaman Amendment No. 962, to provide reimbursement for Federally qualified health centers participating in Medicare managed care. **Pages S8396–S8400**

Hutchison Amendment No. 1004, to amend title XVIII of the Social Security Act to freeze the indirect medical education adjustment percentage under the Medicare program at 6.5 percent. **Pages S8400–01**

Sessions Amendment No. 1011, to express the sense of the Senate that the Committee on Finance should hold hearings regarding permitting States to provide health benefits to legal immigrants under Medicaid and SCHIP as part of the reauthorization of the temporary assistance for needy families program. **Pages S8404–05, S8424–26**

Sununu Amendment No. 1010, to improve outpatient vision services under part B of the Medicare program. **Page S8407**

Conrad Amendment No. 1019, to provide for coverage of self-injected biologicals under part B of the Medicare program until Medicare Prescription Drug plans are available. **Pages S8415, S8417–18**

Conrad Amendment No. 1020, to permanently and fully equalize the standardized payment rate beginning in fiscal year 2004. **Pages S8415–16, S8417**

Conrad Amendment No. 1021, to address Medicare payment inequities. **Pages S8416–17**

Clinton Amendment No. 1000, to study the comparative effectiveness and safety of important Medicare covered drugs to ensure that consumers can make meaningful comparisons about the quality and efficacy. **Pages S8418–21, S8422–23**

Clinton Amendment No. 999, to provide for the development of quality indicators for the priority areas of the Institute of Medicine, for the standardization of quality indicators for Federal agencies, and for the establishment of a demonstration program for the reporting of health care quality data at the community level. **Pages S8418–19**

Clinton Amendment No. 953, to provide training to long-term care ombudsman. **Pages S8421–22**

Clinton Amendment No. 954, to require the Secretary of Health and Human Services to develop literacy standards for informational materials, particularly drug information. **Page S8422**

Reid (for Boxer) Amendment No. 1036, to eliminate the coverage gap for individuals with cancer. **Page S8424**

Reid (for Corzine) Amendment No. 1037, to permit Medicare beneficiaries to use Federally qualified health centers to fill their prescriptions. **Page S8424**

Reid (for Jeffords) Amendment No. 1038, to improve the critical access hospital program. **Page S8424**

Reid (for Inouye) Amendment No. 1039, to amend title XIX of the Social Security Act to provide 100 percent reimbursement for medical assistance provided to a Native Hawaiian through a Federally-qualified health center or a Native Hawaiian health care system. **Page S8424**

A unanimous-consent agreement was reached providing that at 10 a.m., on Wednesday, June 25, 2003, with the approval of both the Majority Leader and the Democratic Leader, Senate proceed to vote on or in relation to an amendment by Senator Grassley or his designee regarding the benchmark, and that no amendment be in order to the amendment prior to the vote. **Page S8478**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, June 25, 2003. **Page S8478**

Messages From the House: **Page S8436**

Measures Referred: **Page S8436**

Measures Read First Time: **Page S8478**

Enrolled Bills Presented: **Page S8437**

Executive Communications: **Pages S8437–38**

Additional Cosponsors: **Pages S8439–41**

Statements on Introduced Bills/Resolutions: **Pages S8441–45**

Additional Statements: **Pages S8435–36**

Amendments Submitted: **Pages S8445–76**

Notices of Hearings/Meetings: **Page S8476**

Authority for Committees to Meet: **Pages S8476–78**

Privilege of the Floor: **Page S8478**

Record Votes: Nine record votes were taken today. (Total—241)

Pages S8395–96, S8402–03, S8404, S8408–09, S8414–15

Adjournment: Senate met at 9:30 a.m., and adjourned at 9:13 p.m., until 9:30 a.m., on Wednesday, June 25, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8478.)

Committee Meetings

(Committees not listed did not meet)

SUPPORTING OUR MILITARY FAMILIES

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded joint hearings with the Committee on Armed Services' Subcommittee on Personnel to examine challenges facing military families, focusing on the Reserve component family readiness and support programs, employer support, and reunion and readjustment policies, after receiving testimony from John M. Molino, Deputy Under Secretary for Military Community and Family Policy, Joseph D. Tafoya, Director, Education Activity, Colonel James L. Scott II, Director, Individual and Family Support Policy, Office of the Assistant Secretary for Reserve Affairs (Manpower and Personnel), and M.A. Lucas, Director, Army Child and Youth Services, all of the Department of Defense; Michael J. Petrilli, Associate Deputy Under Secretary of Education for Innovation and Improvement; Shelley M. MacDermid, Purdue University Military Family Research Institute, West Lafayette, Indiana; and Joyce Wessel Raezer, National Military Family Association, Alexandria, Virginia.

RAPID TRANSIT: BUS SERVICE

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine bus rapid